

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

FIRESTAR DIAMOND, INC., *et al.*

Debtors.<sup>1</sup>

Chapter 11

No. 18-10509 (SHL)

(Jointly Administered)

RICHARD LEVIN, Chapter 11 Trustee of  
FIRESTAR DIAMOND, INC., FANTASY, INC.,  
and OLD AJ, INC. f/k/a A. JAFFE, INC.,

Plaintiff,

v.

NIRAV DEEPAK MODI, MIHIR BHANSALI,  
and AJAY GANDHI,

Defendants.

Adv. Proc. No. 19-1102 (SHL)

**STIPULATION AND ORDER REGARDING SERVICE OF THE AMENDED  
COMPLAINT ON DEFENDANT NIRAV DEEPAK MODI AND SETTING MODI'S  
DATE TO ANSWER, MOVE, OR OTHERWISE RESPOND THERETO**

Richard Levin, not individually but solely as chapter 11 trustee for the above-captioned Debtors and plaintiff in the above-captioned adversary proceeding (the “**Trustee**”), and Nirav Deepak Modi (“**Modi**”), each through their undersigned counsel, hereby agree and stipulate to the following:

1. Modi, through counsel, shall accept service of the Amended Complaint [Dkt. 28] by email on or before October 14, 2019.

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Firestar Diamond, Inc. (2729), Fantasy, Inc. (1673), and Old AJ, Inc. f/k/a A. Jaffe, Inc. (4756).

2. Modi shall answer, move to dismiss, or otherwise respond to the Amended Complaint on or before November 12, 2019.

3. If Modi moves to dismiss the Amended Complaint, the Trustee shall file his response (if any) to the motion to dismiss on or before December 6, 2019, and Modi shall file his reply (if any) in support of the motion to dismiss on or before December 20, 2019.

4. If Modi moves to dismiss the Amended Complaint or less than all of the claims therein, Modi shall file an answer to any claims on or before the 20<sup>th</sup> day following the date of a decision from the Court on the motion to dismiss.

*(Signature page follows.)*

**AGREED AND STIPULATED TO:**

Dated: New York, New York,  
October 11, 2019

RICHARD LEVIN,  
Not Individually But Solely in His Capacity as  
Chapter 11 Trustee of FIRESTAR DIAMOND,  
INC., FANTASY, INC., and OLD AJ, INC.  
f/k/a A. JAFFE, INC.

By His Counsel,  
JENNER & BLOCK LLP  
By:

/s/ Carl Wedoff  
Carl Wedoff  
919 Third Avenue  
New York, New York 10022

Dated: New York, New York,  
October 11, 2019

NIRAV DEEPAK MODI.

By His Counsel,  
PATTERSON BELKNAP WEBB AND TYLER  
LLP

By:

/s/ Daniel S. Ruzumna  
Daniel S. Ruzumna  
1133 Avenue of the Americas  
New York, New York 10036

IT IS SO ORDERED.

Dated: October 21, 2019  
New York, New York

/s/ Sean H. Lane  
The Honorable Sean H. Lane  
United States Bankruptcy Judge